

REMARKS

Claims 1-28 are pending in the application and stand rejected. Applicants gratefully acknowledge Examiner's indication of allowability of claims 1-22 over the cited art of record. By the above amendment, claims 1, 12, 23, 24 and 25 have been amended. No new matter has been introduced by virtue of the claim amendments. The Examiner's reconsideration of the claim rejections is respectfully requested in view of the above amendments and following remarks.

Claim Rejections - 35 U.S.C. § 112

Claims 1-22 stand rejected under 35 U.S.C. 112, first paragraph, for the reasons set forth on pages 4-5 of the Final Office Action. Applicants respectfully disagree with the rejection. Compliance with the written description is not narrowly based on explicit language in the specification. The Examiner should realize that the term "meeting a threshold" is simply a more general way of stating, inter alia, "exceeding a threshold". If a value exceeds a threshold, the value must meet some threshold. In any event, claims 1 and 12 have been amended to remove the objectionable phrases. Accordingly, withdrawal of the rejection is requested.

Claim Rejections - 35 U.S.C. §101

Claims 1-11 and 23-28 stand rejected as being directed to non-statutory subject matter. The basis of this rejection is unclear. To begin, it is contended that claim 1 "only recites software steps", which is not a proper legal basis for rejecting claim 1. Claim 1 recites a method for authenticating a user in a conversational system. The fact that such method steps can be performed by executing software instructions is irrelevant to a 101 analysis. The claimed method is not directed to an abstract idea and produces tangible results. Claim 1 is clearly directed to statutory subject matter.

Further, with respect to claim 23, the Examiner offers no explanation as to how a system is directed to non-statutory subject matter. It is contended (in error) that the "system claim 12 similarly recites software steps". This is incorrect. To the extent that Examiner meant to refer

to claim 23, it is clear that the claimed system components (database, computation module, dialog manager) are not "software steps" (which again is irrelevant to a 101 rejection). In any event, claim 23 as amended is directed to a *computer system to control incremental access authentication to secured data, wherein the computer system comprises* the recited components. Claim 23 is clearly directed to statutory subject matter. Accordingly, withdrawal of the rejection is requested.

Claim Rejections - 35 U.S.C. §103

Claims 23-25 stand rejected as being unpatentable over U.S. Patent No. 5,897,616 to Kanevsky, et. al. in view of U.S. Patent No. 6,105,132 to Fritch et. al. Claims 26-28 stand rejected as being unpatentable over Kanevsky, and Fritch in further view of U.S. Patent No. 6,321,339 to French et al. Although Applicants disagree with the obviousness rejections for previously stated reasons, claims 23, 24 and 25 have been amended in a sincere effort to place the claims in condition for allowance. In particular, claim 23 has been amended to include a similar recitation of features as in claims 1 and 12, which Examiner has indicated is not disclosed or suggested by the cited art of record. Accordingly, claim 23 is believed to be patentable and non-obvious over the cited combination of references. Accordingly, withdrawal of the obviousness rejections is respectfully requested.

Respectfully submitted,



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